

TENNESSEE GENERAL ASSEMBLY  
FISCAL REVIEW COMMITTEE



**FISCAL NOTE**

**HB 1484**

February 24, 2021

**SUMMARY OF BILL:** Exempts tow truck and wrecker operators, while engaged in providing automotive towing services for law enforcement agencies, automobile clubs, or third-party dispatch services, from the prohibition of holding a wireless telecommunication device while operating a motor vehicle, if they are in actual discharge of their duties.

**ESTIMATED FISCAL IMPACT:**

**NOT SIGNIFICANT**

Assumptions:

- Pursuant to Tenn. Code Ann. § 55-8-199(d), a person, while operating a motor vehicle on any road or highway in this state, shall not physically hold or support, with any part of the person's body, wireless telecommunications device, with the exception of:
  - Law enforcement officers;
  - Campus police officers and public safety officers;
  - Emergency medical technicians, emergency medical technician-paramedics, and firefighters;
  - Emergency management agency officers;
  - Persons using a wireless telecommunications device to communicate with law enforcement agencies, medical providers, fire departments, or other emergency service agencies while driving a motor vehicle, if the use is necessitated by a bona fide emergency, including a natural or human occurrence that threatens human health, life, or property;
  - Employees or contractors of utility services; and
  - Persons who are lawfully stopped or parked in their motor vehicles or who lawfully leave standing their motor vehicles.
- A violation is a Class C misdemeanor, subject only to imposition of a fine not to exceed \$50. However, if the violation is the person's third or subsequent offense or if the violation results in an accident, the fine is \$100 or if the violation occurs in a work zone, it is \$200. Any person violating this section is subject to the imposition of court costs not to exceed \$10.
- It is estimated there is not a sufficient enough number of citations currently issued to tow truck and wrecker operators, while engaged in providing automotive towing services for law enforcement agencies, automobile clubs, or third-party dispatch services, to represent a significant amount. Therefore, this legislation will not result in a significant decrease in state or local revenue.

**CERTIFICATION:**

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink that reads "Bojan Savic". The signature is written in a cursive style with a large, stylized 'B' and 'S'.

Bojan Savic, Interim Executive Director

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